



ADMINISTRATION AND  
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE  
1950 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1950

MAY 19 2014

MEMORANDUM FOR SECRETARY OF THE ARMY

SUBJECT: Chief of Engineers Environmental Advisory Board—Charter Reestablishment and Membership Balance Plan Approval

The reestablished charter (TAB A) and the membership balance plan (TAB B) for the Chief of Engineers Environmental Advisory Board (“the Board”) are approved. A copy of the Board’s charter and membership balance plan will be provided to the Board’s Designated Federal Officer (DFO), once the Advisory Committee Management Officer (ACMO) files the charter with the Library of Congress, the Congressional oversight committees, and the General Services Administration.

As part of the charter reestablishment process, this office, in consultation with the Office of General Counsel of the Department of Defense (OGC DoD), has affirmed that all individuals appointed to the Board, once approved by the Secretary of Defense shall be appointed to serve as special government employee (SGE) or regular government employee (RGE) members, as appropriate. The following points apply:

- (a) Individual members approved for appointment or renewal by the Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C § 3109, to serve as SGE members. Those who are full-time or permanent part-time Federal officers or employees shall be appointed to serve as RGE members, pursuant to 41 C.F.R. § 102-3.130(a).
- (b) Each member shall be notified, in writing, of the Secretary of Defense’s approval decision. In preparing your appointment or renewal of appointment letters, the Board’s DFO should consult the ACMO and the OGC DoD, to include the Army’s Standards of Conduct Office. At a minimum, the letters shall contain the following:
  - i. Notice that each individual’s appointment to serve on the Board is without compensation, with the exception of reimbursement for official Board-related travel and per diem.
  - ii. A statement that each individual is appointed to serve as SGE or RGE members, as appropriate.
  - iii. An explanation of the difference between serving as SGE and representative members.
  - iv. A summary of the applicable ethics requirements, to include whether SGE members are required to file a Confidential Financial Disclosure Report.

As the Board's DoD Sponsor, you are responsible for:

- (a) Ensuring that the Board's DFO attends all Board and subcommittee meetings for the entire duration of each and every meeting.
- (b) Ensuring that the DFO and the Board fully comply with all governing Federal statutes and regulations, to include DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program," and policy decisions by the Secretary of Defense or the Director of Administration and Management.
- (c) Ensuring that all Board and subcommittee work is based upon written tasks or terms of reference assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or you, as the DoD Sponsor. All tasks or terms of reference are subject to public review and, at a minimum, shall include:
  - i. A description of the problem or policy to be analyzed and the DoD decision maker for the matter(s) under consideration.
  - ii. Authority for members of the Board or its subcommittees to access DoD officials and DoD data that is pertinent to the matter(s) under consideration.
  - iii. A budget limitation under which the Board members must operate.
  - iv. A date by which the Board must submit its written conclusions (advice and recommendations) to the DoD decision maker.
- (d) Providing adequate support to the Board and its subcommittees, and ensuring that the members of the Board and its subcommittees are not unduly or inappropriately influenced by Federal employees or any special interest group.
- (e) Ensuring that all visits to DoD installations or facilities by members of the Board and its subcommittees are done in consultation with the Secretaries of the Military Departments or the Chairman of the Joint Chiefs of Staff, as appropriate.
- (f) Ensuring that all members of the Board and its subcommittees are appointed according to DoD policies and procedures. No member will participate in any work by the Board or its subcommittees until all of the following have been completed: the member completes and submits to DoD all personnel and ethics paperwork required for his or her appointment, the appropriate DoD offices process the individual's personnel and ethics paperwork, and the individual takes the oath of office for his or her appointment.
- (g) Ensuring that all DoD and other Federal agency documents provided to the Board and its subcommittees are properly marked according to governing statutes, regulations, and DoD policies and procedures.
- (h) Monitoring the implementation status of any recommendation adopted by the DoD and ensuring that this information is available for future inquiries.

Based on the Secretary of Defense's memorandum of October 9, 2012, concerning advisory committees, we recommend you continually reevaluate the Board's functions and reduce, where appropriate, the Board's operating costs. As the Secretary indicated, we must continually assess our advisory committees to ensure they deliver appropriate value today and in the future as times and requirements change.

If you should have any questions about the Department's program, the Federal governance and compliance requirements, the charter reestablishment, or the membership balance plan, please contact the ACMO, Mr. Jim Freeman, at 703-692-5952 or by email at [james.d.freeman4.civ@mail.mil](mailto:james.d.freeman4.civ@mail.mil).



Michael L. Rhodes  
Director

Attachments:  
As stated

cc:  
Office of General Counsel of the Department of Defense  
Special Assistant to the Secretary of Defense (White House Liaison)

A



Charter  
Chief of Engineers Environmental Advisory Board

1. Committee's Official Designation: The Committee will be known as the Chief of Engineers Environmental Advisory Board ("the Board").
2. Authority: The Secretary of Defense, in accordance with the provisions of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to environmental and water resource management issues facing the United States Army Corps of Engineers, as set out in paragraph four below.
4. Description of Duties: The Board shall provide independent advice and recommendations to the Secretary of Defense, the Deputy Secretary of Defense, and the Secretary of the Army on matters relating to the two distinct component programs of the United States Army Corps of Engineers - the Military Program, which supports Army war fighters, and the Civil Works Program, which manages many of the water resources of the Nation.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense and the Deputy Secretary of Defense, through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the Chief of Engineers. The Chief of Engineers, pursuant to Federal and DoD policies and procedures, shall be authorized to act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the United States Army Corps of Engineers, shall provide support, as deemed necessary for the Board's performance of its functions and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$270,000.00. The estimated annual personnel cost to the DoD are 1.5 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures.

The Board's DFO is required to be in attendance at all Board and any subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to established DoD policies and procedures, shall attend the entire duration of all Board and subcommittee meetings.

Charter  
Chief of Engineers Environmental Advisory Board

The DFO or the Alternate DFO, shall call all Board and subcommittee meetings; prepare and approve all meeting agendas; and adjourn any meeting when the DFO or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Board Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Board's Chair. The estimated number of Board meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense or designee extends it.
12. Membership and Designation: The Board shall be comprised of not more than 10 members who are eminent authorities in the fields of natural (e.g. biology, ecology), social (e.g. anthropology, community planning), and related sciences.

All Board members shall be appointed by the Secretary of Defense or the Deputy Secretary of Defense, and all member appointments require annual renewal by the Secretary of Defense or the Deputy Secretary of Defense. Board members who are not full-time or permanent part-time Federal employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Those members who are full-time or permanent part-time Federal employees shall be appointed to serve as regular government employee (RGE) members, pursuant to 41 C.F.R. § 102-3.130(a).

The Secretary of Defense may approve the appointments of Board members for one-to-four year terms of service; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized subcommittees.

Each Board member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

With the exception of reimbursement for official Board-related travel and per diem, no member of the Board will receive compensation for their service.

13. Subcommittees: The Department, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the Board's Sponsor.



Charter  
Chief of Engineers Environmental Advisory Board

Such subcommittees shall not work independently of the Board and shall report all of their recommendations and advice solely to the Board for full and open deliberation and discussion. Subcommittees have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or its members can update or report, verbally or in writing, on behalf of the Board, directly to the DoD or to any Federal officer or employee.

The Secretary of Defense or the Deputy Secretary of Defense s to a term of service of one-to-four years, even if the member in question is already a member of the Board. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members, if not full-time or part-time government employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members, whose appointments must be renewed by the Secretary of Defense or the Deputy Secretary of Defense, on an annual basis. . Subcommittee members who are full-time or permanent part-time Federal employees shall be appointed as RGE members, pursuant to 41 C.F.R. § 102-3.130(a). With the exception of reimbursement for official Board-related travel and per diem, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26, and governing DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date:

**B**



Membership Balance Plan  
Chief of Engineers Environmental Advisory Board

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Chief of Engineers Environmental Advisory Board (“the Board”).
2. Mission/Function: The Board shall provide, under the provisions of FACA, independent advice and recommendations to the Secretary of Defense, through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the Chief of Engineers (United States Army Corps of Engineers), on matters relating to environmental and water resource management issues facing the United States Army Corps of Engineers (“the Corps”).
3. Points of View: The Board shall be comprised of not more than 10 members, who are eminent authorities in the fields of natural (e.g., biology, ecology), social (e.g., anthropology, community planning), and related sciences. To the extent practical, the Board membership will include at least two members whose expertise is focused in the natural sciences, two members whose expertise is focused in the social sciences and two members whose expertise is focused in other related sciences. Individual members’ experience and qualifications may be based in academia, nongovernment organizations, Federal or local governments, or private industry.

The DoD, in selecting potential candidates for the Board, reviews the educational, experiential, and professional credentials of individuals and bases its selection on this review and the subject matters expected to be handled by the Board. The Department has found that viewing the complex environmental issues facing the Army through a multidisciplinary advisory committee provides the Department and, more importantly, the American public with a broader understanding of the issues on which to base subsequent policy decisions.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Board members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, and to serve as special government employee (SGE) members. Those individuals who are full-time or permanent part-time Federal employees shall be appointed to serve as regular government employee (RGE) members, pursuant to 41 C.F.R. § 102-3.130(a). The appointments of Board members shall be renewed on an annual basis by the Secretary of Defense or the Deputy Secretary of Defense.

The Board’s membership balance is not static and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Secretary of the Army, as the Board’s Sponsor. In addition, the DoD, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD established or supported advisory committees.

4. Other Balance Factors: A mix of experts specializing in ecosystem functions, cultural resources, social interactions, the physical environment, and the dynamic interactions of these components of the



Membership Balance Plan  
Chief of Engineers Environmental Advisory Board

human environment is critical. Next, it is important to have representatives with knowledge and/or experience from most of the major ecological regions of the country.

5. Candidate Identification Process: The DoD, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals with extensive professional experience in the points of view described above. Potential candidates may be identified by the Board's staff, current or past Board members, senior environmental scientists of the Corps and other agencies, academicians, and in some instances senior Corps officials.

Once several highly qualified potential candidates are identified, the Designated Federal Officer (DFO), in consultation with the Board's Chair and not less than three senior environmental scientists from the Corps, will review the educational and professional credentials of each individual relative to the subject matters that are likely to be considered by the Board and narrow the list of potential candidates. A Corps Ethics Counselor will conduct an initial screening of the financial disclosure reports (OGE Form 450) of the potential candidates for possible conflicts of interests. Following these reviews the DFO will forward a balanced list of potential candidates to the Secretary of the Army through the Assistant Secretary of Army for Civil Works. The Secretary of the Army will verify the balance between the educational and professional credentials of the individual candidates, and the subject matters that are likely to be considered by the Board.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the DoD Office of General Counsel and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the Secretary of the Army formally nominates the potential candidates to the Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to advisory committees established or supported by the DoD, unless otherwise directed by statute or Presidential directive.

Following the Secretary of Defense or the Deputy Secretary of Defense approval, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of Board members for a one-to-four year term of service; however, members may only serve two consecutive terms of service unless otherwise authorized by the Secretary of Defense or the Deputy Secretary of Defense.

The Board and subcommittee member vacancies will be filled in the same manner as described in the previous five paragraphs above.

6. Subcommittee Balance: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees to support the Board.

The Secretary of Defense or the Deputy Secretary of Defense shall approve the appointment of subcommittee members in the same manner as Board appointments are made, and these individuals

Membership Balance Plan  
Chief of Engineers Environmental Advisory Board

may come from the parent committee or new nominees, as recommended by the Board's Sponsor and based upon the matters under consideration.

The subcommittee members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Those individuals who are full-time or permanent part-time Federal employees shall be appointed to serve as RGE members, pursuant to 41 C.F.R. § 102-3.130(a). The appointments of subcommittee members shall be renewed, on an annual basis, by the Secretary of Defense or the Deputy Secretary of Defense.

Following the Secretary of Defense or the Deputy Secretary of Defense approval, the subcommittee candidates are required to complete the same necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics as for advisory committee members.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of subcommittee members for a one-to-four year term of service; however, subcommittee members may only serve two consecutive terms of service unless otherwise authorized by the Secretary of Defense or the Deputy Secretary of Defense.

7. Other: As nominees are considered for the appointment to the Board, the DoD adheres to the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Boards and Commissions (76 FR 61756; October 5, 2011), and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared:



C

CHARTER  
CHIEF OF ENGINEERS ENVIRONMENTAL ADVISORY BOARD

1. Committee's Official Designation: The Committee shall be known as the Chief of Engineers Environmental Advisory Board (hereafter referred to as "the Board").
2. Authority: The Secretary of Defense, under the provision of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix) and 41 CFR § 102-3.50(d) (agency authority), established the Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on matters relating to environmental issues facing the U.S. Army Corps of Engineers, as set out in (4) below.
4. Description of Duties: The Board shall provide the Secretary of Defense, through the Secretary of the Army, Assistant Secretary of the Army (Civil Works), and the Chief of Engineers (U.S. Army Corps of Engineers), independent advice and recommendations on matters relating to environmental issues facing the U.S. Army Corps of Engineers.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense, through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the U.S. Army Corps of Engineers. The Secretary of the Army may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the U.S. Army Corps of Engineers, shall provide support as deemed necessary for the performance of the Board's functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (the Government in the Sunshine Act) (5 U.S.C. § 552b), governing Federal statutes and regulations, and governing DoD policies/procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meeting, and contract support, is approximately \$238,000.00 and 1.2 full-time equivalents.
8. Designated Federal Officer: The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies and procedures.

In addition, the Designated Federal Officer is required to be in attendance at all Board and subcommittee meetings for the entire duration of each and every meeting; however, in the absence of the Designated Federal Officer, a properly approved Alternate Designated Federal Officer shall attend the entire duration of the Board or subcommittee meeting.

The Designated Federal Officer, or the Alternate Designated Federal Officer, shall call all Board and subcommittee meetings; prepare and approve all meeting agendas; adjourn any meeting when the Designated Federal Officer, or the Alternate Designated Federal Officer, determines adjournment to be in the public interest or required by governing regulations or DoD policies/procedures; and chair meetings when directed to do so by the official to whom the Board reports.

9. Estimated Number and Frequency of Board Meetings: The Board shall meet at the call of the Designated Federal Officer, in consultation with the Board's Chairperson. The estimated number of Board meetings is two per year.
10. Duration of the Board: The need for this advisory function is on a continuing basis; however, it is subject to renewal every two years.
11. Termination of the Board: The Board shall terminate upon completion of its mission or two years from the date when this Charter is filed, whichever is sooner, or unless the Secretary of Defense extends it.
12. Board Membership, Designation and Compensation: The Board shall be composed of not more than ten members who are eminent authorities in the field of natural (e.g. biological, ecological), social (e.g. anthropologist, community planner), and related sciences.

All Board members shall be appointed by the Secretary of Defense and all member appointments require annual renewal by the Secretary of Defense.

The Secretary of Defense may approve the appointments of Board members for three year terms of service; however, no member, unless authorized by the Secretary of Defense may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized subcommittees.

The Board Membership shall select the Board's Chairperson from the total membership.

Board Members appointed by the Secretary of Defense, who are not full-time Federal officers or employees, shall be appointed under the authority of 5 U.S.C. § 3109, and serve as special government employees. Board Members shall, with the exception of travel and per diem for official travel, serve without compensation.

Each Board member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.



13. Subcommittees: The Department, when necessary, and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor.

Such subcommittees shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Board; nor can any subcommittee or its members update or report directly to the Department of Defense or any Federal officers or employees.

All subcommittee members shall be appointed in the same manner as the Board members; that is, the Secretary of Defense shall appoint subcommittee members even if the member in question is already a Board member. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the subcommittee of three years; however, no member shall serve more than two consecutive terms of service on the subcommittee.

Subcommittee members, if not full-time or part-time government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees, whose appointments must be renewed by the Secretary of Defense on an annual basis. With the exception of travel and per diem for official Board related travel, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies/procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26 and governing DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Charter Filing Date: April 24, 2012

**D**

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REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
441 G STREET, NW  
WASHINGTON, DC 20314-1000

DEC 19 2013

CECW-EAB

MEMORANDUM THRU Assistant Secretary of the Army (Civil Works)

FOR Administrative Assistant to the Secretary of the Army

SUBJECT: Chief of Engineers Environmental Advisory Board - Renewal of the Charter and the Membership Balance Plan

1. References:

a. DoD Instruction 5105.4, "Department of Defense Federal Advisory Committee Management Program", 6 August 2007.

b. Charter, Chief of Engineers Environmental Advisory Board (EAB), 24 April 2012.

c. Membership Balance Plan, EAB, 24 April 2012.

2. Request renewal of the charter and membership balance plan for the Chief of Engineers Environmental Advisory Board, which expire on 23 April 2014. Enclosed is an updated charter based upon a review; a summary of substantive non-editorial changes follows:

a. Section 5 of the expiring charter says, "The Board shall report to the Secretary of Defense, through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the U.S. Army Corps of Engineers. The Secretary of the Army may act upon the Board's advice and recommendations." The revision says, "The Board shall report to the Secretary of Defense, through the Secretary of the Army, the Assistant Secretary of the Army (Civil Works), and the Chief of Engineers. The Chief of Engineers may act upon the Board's advice and recommendations."

b. Section 7 of expiring the charter says, "The estimated annual operating cost, to include travel, meeting, and contract support, is approximately \$238,000.00 and 1.2 full-time equivalents." The revision says, "The estimated annual operating cost, to include travel, meeting, and contract support, is approximately \$270,000.00 and 1.5 full-time equivalents."

c. The second paragraph of Section 5, of the expiring membership balance plan says, "Once several highly qualified potential candidates are identified, the Designated Federal Officer, in consultation with the Board's Chairperson and not less than 3 senior environmental scientists from the Corps, will review the credentials of each individual and narrow the list of potential candidates. The DFO will forward the list of potential candidates to the Secretary of the Army through the Assistant Secretary of Army for Civil Works. During the Secretary of the Army review, the Secretary will strive to achieve a balance between the educational and professional credentials of the individual candidates, and the subject matters that are likely to be reviewed by the Board." The proposed revision says, "Once several highly qualified potential candidates are identified, the Designated Federal Officer (DFO), in consultation with the Board's Chairperson and not less than 3 senior environmental scientists from the Corps, will review the



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SUBJECT: Chief of Engineers Environmental Advisory Board - Renewal of the Charter and the Membership Balance Plan

educational and professional credentials of each individual relative to the subject matters that are likely to be considered by the Board and narrow the list of potential candidates. A Corps Ethics Counselor will conduct an initial screening of the financial disclosure reports (OGE Form 450) of the potential candidates for possible conflicts of interests. Following these reviews the DFO will forward a balanced list of potential candidates to the Secretary of the Army through the Assistant Secretary of Army for Civil Works. The Secretary of the Army will verify the balance between the educational and professional credentials of the individual candidates, and the subject matters that are likely to be considered by the Board.”

3. In accordance with DoDI 5104.04, the following justification is submitted (see enclosure 2).

a. Accomplishment of Mission.

The purpose of the Environmental Advisory Board is to provide the Chief of Engineers independent, expert advice on environmental issues facing the Corps of Engineers. The EAB has accomplished this mission through discussion and advice provided at meetings as well as through development of short papers on such topics as environmental benefit assessment and integrated water resources management.

b. Rationale for Continued Operation.

The EAB was established in 1970 by the Chief of Engineers shortly after enactment of National Environmental Policy Act of 1969. The intent was to provide not only advice on specific policies, programs and problems, but perhaps more important, contribute to an enhanced mutual understanding and confidence between the Corps, the general public and the conservation community. This need increases as issues involving invasive nuisance species, climate and sea level change, aging infrastructure make planning and management of Corps of Engineers and DoD resources more complex.

c. Accomplishments with regards to the Department of Defense (DoD).

The EAB has provided important advice on the key environmental and water resources management issues. Advice of the EAB to the Chief of Engineers has been related to emergency management activities during and following events such as hurricanes, management of record breaking floods and subsequent reconstruction, and more environmentally sustainable management of existing facilities. The EAB has provided substantial assistance in moving the ecosystem restoration program forward, provided guidance on levee safety, and development of

project design and management to be more adaptive to the effects extreme weather on the human environment, and the continuing challenges of climate change.

d. Why function cannot be performed by existing DoD resources and/or be absorbed by another existing DoD-Supported Committee.

The Corps of Engineers has two distinct component programs. The Military Program supports Army war fighters and the Civil Works program that manages many of the water resources of the nation. The EAB provides support to both programs but is currently more focused on the Civil Works program. The Civil Works program is unique within DoD. No other branch of the DoD or DoD-Supported Committee is engaged in the increasingly complex missions of navigation, flood risk management, emergency response, regulatory functions, and ecosystem restoration that are part of the Civil Works program. The

CECW-EAB

SUBJECT: Chief of Engineers Environmental Advisory Board - Renewal of the Charter and the Membership Balance Plan

responsibilities of the EAB and the expertise it contributes to the Civil Works program are also unique within DoD. Timely expert advice is critical to the ability of the Corps to successfully accomplish the mission. The EAB offers external viewpoints from leading experts representing a broad diversity in areas of expertise, geographic representation, and environmental affiliation. This diversity of EAB membership ensures a more objective and expansive view than can be obtained utilizing Corps of Engineers resources.

e. Impact of discontinuation.

The Corps would be unable to tap into the breadth and depth of expertise provided by the EAB, leaving it less able to effectively respond to the increasingly diverse and complex water resources needs and problems facing the nation.

4. Required enclosures 3, 4 and 5 include responses to Additional Questions for Charter Renewal, the Proposed Membership Balance Plan, and the current Committee Member Roster and Balance Criteria, respectively.

5. Mr. Steven Stockton, Director of Civil Works has concurred with the request to renew the EAB charter and the revisions. Ms. Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works) will provide a separate memo to the AASA requesting renewal and revision of the EAB charter.

6. POC for this action is Mr. John C. Furry, Designated Federal Officer, (202) 761-5875, [John.C.Furry@usace.army.mil](mailto:John.C.Furry@usace.army.mil).



JOHN C. FURRY  
Designated Federal Officer  
Chief of Engineers Environmental Advisory Board

5 Encls

1. Revised Charter
2. Charter Renewal Justification Questions
3. Additional Questions
4. Revised Membership Balance Plan
5. Member Roster & Balance Criteria

**E**

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## COORDINATION SHEET

Chief of Engineers Environmental Advisory Board— Charter Renewal and Membership Balance Plan

Advisory Committee Management Officer (ACMO)

FREEMAN.JAMES  
.D.II.1043158844

Digitally signed by  
FREEMAN.JAMES.D.II.1043158844  
DN: cn=US, o=U.S. Government,  
ou=DoD, ou=PKI, ou=OSD,  
cn=FREEMAN.JAMES.D.II.1043158844  
Date: 2014.02.04 16:14:42 -05'00'

DoD-Wide FACA Attorney to DA&M & ACMO

SATSD(WHLO)

A handwritten signature in black ink, appearing to be 'J. Freeman', written over a horizontal line.

POC: Jason Zaborski/Jason.zaborski.ctr@osd.mil/703-697-4553

## COORDINATION SHEET

Chief of Engineers Environmental Advisory Board– Charter and  
Membership Balance Plan Reestablishment

Advisory Committee Management Officer (ACMO)

DoD-Wide FACA Attorney to DA&M & ACMO

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POC: Betty Mosher/betty.j.mosher6.ctr@mail.mil/703-697-  
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